

Exhibit 38

From: Mauser, Amy <amauser@paulweiss.com>
Sent: Friday, August 16, 2024 4:14 PM
To: Garcia, Kelly (ATR); Freeman, Michael (ATR); Teitelbaum, Aaron (ATR); Wood, Julia (ATR); Clemons, Katherine (ATR); Wolin, Michael (ATR); craig.reilly@ccreillylaw.com; Dugan, Colleen (ATR); dbitton@axinn.com; bjustus@axinn.com; Eric Mahr; Justina.Sessions@freshfields.com; Robert McCallum
Cc: Dunn, Karen L; Rhee, Jeannie S; Isaacson, William A; Morgan, Erin J; Goodman, Martha; Phillips, Jessica E
Subject: [EXTERNAL] U.S. v. Google Correspondence
Attachments: 2024.08.16 Letter from J. Rhee to J. Wood (003).pdf
Categories: Red Category

Counsel:

Please see attached correspondence.

Amy J. Mauser | Counsel
Paul, Weiss, Rifkind, Wharton & Garrison LLP
2001 K Street, NW | Washington, DC 20006-1047
+1 202 223 7371 (Direct Phone) | +1 202 615 6841 (Cell)
+1 202 379 4077 (Direct Fax)
amauser@paulweiss.com | www.paulweiss.com

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PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP
2001 K STREET, NW
TELEPHONE (202) 223-7300

WASHINGTON, DC 20006-1047

1285 AVENUE OF THE AMERICAS
NEW YORK, NY 10019-6064
TELEPHONE (212) 373-3000

UNIT 5201, FORTUNE FINANCIAL CENTER
5 DONGSANHUAN ZHONGLU
CHAOYANG DISTRICT, BEIJING 100020, CHINA
TELEPHONE (86-10) 5828-6300

SUITES 3601 – 3606 & 3610
36/F, GLOUCESTER TOWER
THE LANDMARK
15 QUEEN'S ROAD, CENTRAL
HONG KONG
TELEPHONE (852) 2846-0300

20 AIR STREET
LONDON W1B 5AN, UNITED KINGDOM
TELEPHONE (44 20) 7367 1600

2029 CENTURY PARK EAST, SUITE 2000
LOS ANGELES, CALIFORNIA 90067-3006
TELEPHONE: (310) 982-4350

535 MISSION STREET, 24TH FLOOR
SAN FRANCISCO, CA 94105
TELEPHONE (628) 432-5100

FUKOKU SEIMEI BUILDING
2-2 UCHISAIWAICHO 2-CHOME
CHIYODA-KU, TOKYO 100-0011, JAPAN
TELEPHONE (81-3) 3597-8101

TORONTO-DOMINION CENTRE
77 KING STREET WEST, SUITE 3100
P.O. BOX 226
TORONTO, ONTARIO M5K 1J3
TELEPHONE (416) 504-0520

1313 NORTH MARKET STREET, SUITE 806
POST OFFICE BOX 32
WILMINGTON, DE 19899-0032
TELEPHONE (302) 655-4410

WRITER'S DIRECT DIAL NUMBER

(202) 223-7466

WRITER'S DIRECT FACSIMILE

(202) 330-5012

WRITER'S DIRECT E-MAIL ADDRESS

jrhee@paulweiss.com

August 16, 2024

By Email

Julia Wood
Antitrust Division
U.S. Department of Justice
450 Fifth Street, NW, Suite 800
Washington, DC 20530

Re: *United States, et al. v. Google LLC*, No. 1:23-cv-108 (E.D. Va.)

Dear Counsel:

We write to correct the response provided in a letter to you on behalf of Google LLC (“Google”) dated November 8, 2023. That letter contained written responses in lieu of testimony in connection with Topic 25 of Plaintiffs’ 30(b)(6) Deposition Notice to Google dated August 9, 2023. Google agreed to provide “a chart indicating when a litigation hold for the Investigation or Litigation was issued to each custodian.” Appendix B to the November 8, 2023 letter contained responsive information concerning the issuance of legal holds.

Because many of the custodians in this matter received multiple legal holds, we collected and reviewed the legal holds provided to each custodian in Appendix B to the November 8, 2023 letter in connection with preparing Google’s opposition to Plaintiffs’ Motion for an Adverse Inference. In doing so, we discovered that Appendix B mistakenly did not list in many instances the first legal hold that each custodian received and instead listed a subsequent legal hold or reminder notice. For example, Appendix B to the November 8, 2023 letter listed Neal Mohan as receiving a legal hold notice in April 2023. Mr. Mohan did receive a legal hold or reminder notice in April 2023, but he first received a legal hold in connection with the Investigation on December 10, 2019. Appendix A to this letter contains a corrected chart that provides (1) the date of the legal hold identified

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in the November 8, 2023 letter; and (2) the earliest date that a legal hold for the Investigation or Litigation was issued to each custodian.

Sincerely,

/s/ Jeannie S Rhee

Jeannie S Rhee

APPENDIX A

Custodian Name	Date Provided in November 8, 2023 Letter	Earliest Date that a Legal Hold Notice Was Issued
Sergio Abreu	2/3/2021	2/3/2021
Daniel Alegre	6/2/2020	6/2/2020
Kate Alessi	2/3/2021	2/3/2021
Anthony Altimari	5/25/2023	5/25/2023
Ali Nasiri Amini	2/3/2021	6/23/2020
Vip Andleigh	1/22/2021	8/6/2020
Nikesh Arora	12/5/2019	12/5/2019
Ajay Bangla	5/25/2023	5/25/2023
Bethanie Baynes	1/22/2021	3/5/2020
Karen Aviram Beatty	1/22/2021	3/5/2020
Jonathan Bellack	10/4/2019	10/4/2019
Brad Bender	10/4/2019	10/4/2019
Glenn Berntson	9/20/2022	9/20/2022
David Besbris	1/22/2021	12/10/2019
Deepti Bhatnagar	1/22/2021	3/5/2020
Jason Bigler	10/4/2019	10/4/2019
Chetna Bindra	1/22/2021	12/10/2019
Jeff Birnbaum	2/3/2021	2/3/2021
Simon Bolger	5/25/2023	5/25/2023
Joan Braddi	1/22/2021	12/10/2019
Drew Bradstock	1/22/2021	12/10/2019
Amin Charaniya	2/3/2021	2/3/2021
Anthony Chavez	1/22/2021	3/5/2020
Julie Chen	2/3/2021	2/3/2021
Susan Childs	1/22/2021	1/30/2020
Mary Ellen Coe	1/22/2021	12/10/2019
Josh Cohen	6/22/2020	6/22/2020
Christophe Combette	6/12/2023	6/12/2023

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Custodian Name	Date Provided in November 8, 2023 Letter	Earliest Date that a Legal Hold Notice Was Issued
Matthew Conroy	1/22/2021	12/10/2019
Erin Corkins	5/25/2023	5/25/2023
Sam Cox	10/4/2019	10/4/2019
Marcel Crasmaru	2/3/2021	2/3/2021
Tim Craycroft	9/20/2022	9/20/2022
Jerry Dischler	1/22/2021	12/10/2019
Katie (Baxter) Dodson	5/25/2023	5/25/2023
Sean Downey	1/22/2021	12/10/2019
John "Duke" Dukellis	1/22/2021	12/10/2019
Sam Franklin	5/25/2023	5/25/2023
Rudy Galfi	1/22/2021	12/10/2019
Haskell Garon	1/22/2021	1/30/2020
Kristen Gil	2/3/2021	2/3/2021
Jim Giles	1/22/2021	6/23/2020
Richard Gingras	1/22/2021	6/23/2020
Chris Gklaros-Stavropoulos	1/22/2021	3/5/2020
Matthew Glotzbach	6/22/2020	6/2/2020
Eu-Jin Goh	7/26/2023	7/26/2023
Joanna Zimelis Goldblatt	4/3/2023	4/3/2023
Eve Goldman	2/3/2021	2/3/2021
David Goodman	1/22/2021	6/23/2020
Jerome Gateau	1/22/2021	1/30/2020
Anna Grodecka-Grad	9/26/2023	9/25/2023
Chip Hall	1/22/2021	1/30/2020
K. Marco Hardie	4/3/2023	4/3/2023
Donald Harrison	10/4/2019	10/4/2019
Sean Harrison	4/3/2023	4/3/2023
Rob Hazan	8/6/2020	8/6/2020
Joerg Heilig	1/29/2021	1/29/2021
Sissie Hsiao	10/4/2019	10/4/2019

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Custodian Name	Date Provided in November 8, 2023 Letter	Earliest Date that a Legal Hold Notice Was Issued
Nirmal Jayaram	1/22/2021	6/23/2020
Darline Jean	6/12/2023	6/12/2023
Adam Juda	1/22/2021	3/5/2020
Bashar Kachachi	1/22/2021	3/5/2020
Kishore Kanakamedala	2/21/2020	3/5/2020
Pooja Kapoor	10/4/2019	10/4/2019
Roshan Khan	1/22/2021	12/10/2019
Woojin Kim	1/22/2021	6/23/2020
Jennifer Koester	1/22/2021	10/4/2019
Martin Kon	2/3/2021	2/3/2021
Rahul Kooverjee	5/25/2023	5/25/2023
Omid Kordestani	2/4/2020	2/4/2020
Nitish Korula	10/4/2019	10/4/2019
Gabe Kronstadt	2/10/2021	2/10/2021
Suresh Kumar	6/2/2020	6/2/2020
Robert Kyncl	1/22/2021	12/10/2019
Sue Lai	9/25/2023	9/25/2023
Tript Singh Lamba	1/22/2021	3/5/2020
Chris LaSala	1/22/2021	10/4/2019
Lisa Lehman	1/22/2021	8/6/2020
George Levitte	1/22/2021	6/23/2020
Max Lin	1/22/2021	6/23/2020
Eisar Lipkovitz	6/22/2020	6/22/2020
Tim Lipus	2/23/2023	7/12/2021
Max Loubser	1/22/2021	6/23/2020
Tobias Maurer	1/22/2021	6/23/2020
Chris Maxcy	1/22/2021	3/5/2020
Stuart May	7/26/2023	7/26/2023
Ali Miller	1/22/2021	3/5/2020
Jason Miller	2/3/2021	2/3/2021

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Custodian Name	Date Provided in November 8, 2023 Letter	Earliest Date that a Legal Hold Notice Was Issued
Giulio Minguzzi	5/3/2023	7/12/2021
David Mitby	1/22/2021	6/23/2020
Neal Mohan	4/27/2023	12/10/2019
Jessica Mok	2/23/2023	4/28/2021
Paul Muret	1/22/2021	1/30/2020
Elissa Murphy	2/3/2021	2/3/2021
Sagnik Nandy	3/8/2021	3/8/2021
Jon Newmuis	7/26/2023	7/26/2023
Rany Ng	1/22/2021	6/23/2020
Ali Nouri	06/14/2023	6/14/2023
Kristen O'Hara	06/12/2023	6/12/2023
Martin Pal	1/22/2021	6/23/2020
Thomas Pan	7/26/2023	7/26/2023
Aparna Pappu	1/22/2021	10/4/2019
Peentoo Patel	9/20/2022	9/20/2022
Bonnie Pericolosi	1/22/2021	12/10/2019
Igor Perisic	10/16/2023	10/16/2023
Shane Peros	1/22/2021	10/4/2019
Kirk Perry	1/22/2021	12/20/2019
Sundar Pichai	10/4/2019	10/4/2019
Barbara Piermont	1/22/2021	1/30/2020
Arthur Price	2/3/2021	2/3/2021
Prabhakar Raghavan	10/4/2019	10/4/2019
Alyssa Raiola	4/3/2023	4/3/2023
Sridhar Ramaswamy	11/4/2019	11/4/2019
Vinay Rao	2/3/2021	2/3/2021
Vivek Rao	1/22/2021	6/23/2020
Rita Ren	5/23/2023	5/23/2023
Nicky Rettke	6/12/2023	4/28/2021
Sarah Rock	5/25/2023	5/25/2023

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Custodian Name	Date Provided in November 8, 2023 Letter	Earliest Date that a Legal Hold Notice Was Issued
Dave Rolefson	1/22/2021	1/22/2021
Danielle Romain	1/22/2021	3/5/2020
Courtney Rose	5/25/2023	5/25/2023
Bryan Rowley	1/22/2021	3/5/2020
Nathalie Sajous	5/25/2023	11/19/2020
Karen Sauder	3/8/2021	3/8/2021
Erin Schaefer	1/29/2021	1/29/2021
Philipp Schindler	10/4/2019	10/4/2019
Mike Schulman	10/4/2019	10/4/2019
Jasper Seldin	1/22/2021	6/23/2020
Jayavel Shanmugasundaram	1/22/2021	7/14/2020
Vishal Sharma	1/22/2021	7/13/2020
Scott Sheffer	2/3/2021	12/10/2019
Alex Shellhammer	1/22/2021	1/30/2020
Lior Shenkar	3/3/2022	3/3/2022
Steven Shin	5/23/2023	5/23/2023
Payam Shodjai	1/22/2021	12/10/2019
Scott Silver	1/22/2021	6/23/2020
Vlad Sinaniyev	1/22/2021	9/17/2020
Selin Song	6/12/2023	6/12/2023
Scott Spencer	1/22/2021	12/10/2019
Jason Spero	1/22/2021	3/5/2020
Rahul Srinivasan	1/22/2021	10/4/2019
Vidhya Srinivasan	1/22/2021	12/10/2019
Sarah Stefaniu	4/3/2023	4/3/2023
Adam Stewart	3/8/2021	3/8/2021
Bonita Stewart	10/4/2019	10/4/2019
Gargi Sur	1/22/2021	1/30/2020
Dan Taylor	1/22/2021	10/4/2019

Custodian Name	Date Provided in November 8, 2023 Letter	Earliest Date that a Legal Hold Notice Was Issued
Sam Temes	1/22/2021	1/30/2020
Sneha Thomas	6/12/2023	6/12/2023
Glenn Thrope	2/23/2021	2/3/2021
Allan Thygesen	1/22/2021	12/10/2019
Christopher Tignor	6/14/2023	6/14/2023
John Tobler	2/3/2021	2/3/2021
Malte Ubl	1/22/2021	10/4/2019
Kai Umezawa	6/12/2023	6/12/2023
Shashi Upadhyay	6/12/2023	6/12/2023
Jyoti Vaidee	1/22/2021	3/5/2020
Marshall Vale	1/22/2021	12/10/2019
Jay VanDerzee	3/3/2022	3/3/2022
Hal Varian	1/22/2021	12/10/2019
Medha Vedaprakash	1/18/2023	1/18/2023
Casper Verhoofstad	5/25/2023	5/25/2023
Alok Verma	1/22/2021	12/10/2019
Luis Vilela	2/3/2021	2/3/2021
Madhu Vudali	1/22/2021	7/14/2020
Jason Washing	1/22/2021	10/4/2019
Debbie Weinstein	1/22/2021	3/5/2020
Mike Westervelt	5/25/2023	5/25/2023
Kristin Wiechmann	1/22/2021	1/30/2020
Susan Wojcicki	10/4/2019	10/4/2019
Noam Wolf	10/4/2019	10/4/2019
Meghan Zidar	5/25/2023	5/25/2023